

Day 3: Tinker v. Des Moines Independent Community School District

Begin lesson

Card 1 of 16

<p data-bbox="332 783 628 844">Begin lesson</p>	<p data-bbox="863 627 959 661">Notes</p>
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Before the Lesson

Card 2 of 16

<p data-bbox="240 1404 787 1465">Before the Lesson</p>	<p data-bbox="863 1255 959 1289">Notes</p>
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Anchor Text

Card 3 of 16

<p style="text-align: center;">United States Supreme Court 393 U.S. 503 TINKER v. DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT Argued: Nov. 12, 1968. --- Decided: Feb 24, 1969</p> <p>MR. JUSTICE FORTAS delivered the opinion of the Court.</p> <p>Petitioner John F. Tinker, 15 years old, and petitioner Christopher Eckhardt, 16 years old, attended high schools in Des Moines, Iowa. Petitioner Mary Beth Tinker, John's sister, was a 13-year-old student in junior high school.</p> <p>In December 1965, a group of adults and students in Des Moines held a meeting at the Eckhardt home. The group determined to publicize their objections to the hostilities in Vietnam and their support for a truce by wearing black armbands during the holiday season and by fasting on December 16 and New Year's Eve. Petitioners and their parents had previously engaged in similar activities, and they decided to participate in the program.</p> <p>The principals of the Des Moines schools became aware of the plan to wear armbands. On December 14, 1965, they met and adopted a policy that any student wearing an armband to school would be asked to remove it, and if he refused he would be suspended until he returned without the armband. Petitioners were aware of the regulation that the school authorities adopted.</p> <p>On December 16, Mary Beth and Christopher wore black armbands to their schools. John Tinker wore his armband the next day. They were all sent home and suspended from school until they would come back without their armbands. They did not return to school until after the planned period for wearing armbands had expired—that is, until after New Year's Day.</p> <p>This complaint was filed in the United States District Court by petitioners, through their fathers, under § 1983 of Title 42 of the United States Code. It prayed for an injunction</p>	<h2 style="text-align: center;">Notes</h2>
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Student Notes Sheet

Card 4 of 16

<p style="text-align: center;"> LearnZillion</p> <p>Name: _____ Date: _____</p> <p>Student notes for: Tinker v. Des Moines Independent Community School District</p> <p>Day: 3</p> <p>1. In the case of <i>Burdick v. Hayes</i> (page 2), what role did symbolism play in the ruling? Be sure to cite strong textual evidence to support your analysis of the text.</p> <p>2. Reread the second paragraph on page 2. From the information provided, what is the significance of symbolism in defining "pure speech"? Be sure to cite strong textual evidence to support your analysis of the text.</p> <p>3. The petitioners' protest "involves direct, primary First Amendment rights akin to 'pure speech'" unlike the cases of <i>O. Farrell v. Dallas Independent School District</i> and <i>Pugmire v. Selinger</i> on page 3. What was the reasoning provided in the ruling that separates and identifies the petitioners' protest as a form of "pure speech"?</p>	<h2 style="text-align: center;">Notes</h2>
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Getting Started

Card 5 of 16

<h2>Getting Started</h2>	<p>Notes</p>
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Introduction 1 of 2

Card 6 of 16

<div data-bbox="292 1045 527 1325" style="border: 1px solid black; padding: 5px;"> <p style="text-align: center; font-size: small;">United States Supreme Court 578 U.S. 511 TINKER v. DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT Argued Nov. 12, 2006 — Decided Feb. 22, 2007</p> <p><small>MR. JUSTICE FORTAS delivered the opinion of the Court.</small></p> <p><small>Petitioner John T. Tinker, 15 years old, and petitioner Christopher Eckhardt, 14 years old, attended high schools in Des Moines, Iowa. Petitioner Mary Beth Tinker, John's sister, was a 13-year-old student in junior high school.</small></p> <p><small>In December 1965, a group of adults and students in Des Moines held a meeting at the public library. The group discussed the possible consequences to the teachers in violation and their support for a strike to wearing black armbands during the holiday season and by fasting on December 16 and New Year's Day. Petitioner's and their parents had previously engaged in similar activities, and they decided to participate in the program.</small></p> <p><small>The principals of the Des Moines schools became aware of the plan to wear armbands on December 15, 1965. They sent an advisory circular that evening warning an armband to be worn around the neck to receive it, and if the circular the results be suspended until he returned without the armband. Petitioner were aware of the regulations that the school authorities adopted.</small></p> <p><small>On December 16, Mary Beth and Christopher wore black armbands to their schools. John Tinker wore his armband the next day. They were all sent home and suspended from school until they would come back without their armbands. They did not return to school until after the planned period for wearing armbands had expired—that is, until after New Year's Day.</small></p> <p><small>This complaint was filed in the United States District Court by petitioners, through their fathers, under § 1983 of Title 42 of the United States Code. It sought first an injunction restraining the respondent school officials and the respondent members of the board of directors of the school district from disciplining the petitioners, and it sought monetary damages. After an involuntary hearing the District Court dismissed the complaint. It upheld [505] the constitutionality of the school authorities' action on the ground that it was reasonable in order to prevent disturbance of school discipline. 222 F.Supp. 971 (1964). The court referred to but expressly declined to follow the First Circuit's holding in a similar case that the wearing of armbands like the armbands caused no prohibited action.</small></p> </div> <div data-bbox="592 1134 722 1207" style="color: green; text-align: center;"> <p>Written by Supreme Court Justice Fortas</p> </div>	<p>Notes</p>
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Introduction 2 of 2

Card 7 of 16

<p>1. In the case of <i>Brandenburg v. Ohio</i> (page 7), what role did symbolic play in the ruling? Do you see clear strong textual evidence to support your analysis of the text?</p> <p>2. Reread the second paragraph on page 7. From the information provided, what is the significance of symbolism in defining "true speech"? Do you see clear strong textual evidence to support your analysis of the text?</p> <p>3. The petitioners' primary "burden" does not prohibit First Amendment rights. How do you think the issue of "true speech" is defined? Do you see any textual evidence to support your analysis of the text? Do you see any textual evidence to support your analysis of the text?</p>	<p>we will be asking and answering questions.</p> <p>We will find and keep track of evidence from the text to support our ideas about each question.</p>	<h3>Notes</h3>
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Exploring the Text

Card 8 of 16

<h2>Exploring the Text</h2>	<h3>Notes</h3>
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Supporting Question 1

Card 9 of 16

<p>In the case of <i>Burnside v. Byars</i> (page 2), what role did symbolism play in the ruling? Be sure to cite strong textual evidence to support your analysis of the text.</p>	<p>Notes</p>
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Supporting Question 2

Card 10 of 16

<p>Reread the second paragraph on page 2. From the information provided, what is the significance of symbolism in defining “pure speech”? Be sure to cite strong textual evidence to support your analysis of the text.</p>	<p>Notes</p>
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Supporting Question 3

Card 11 of 16

<p>The petitioners' protest "involves direct, primary First Amendment rights akin to 'pure speech'" unlike the cases of <i>Cf. Ferrell v. Dallas Independent School District</i> and <i>Pugsley v. Sellmeyer</i> on page 3. What was the reasoning provided in the ruling that separates and identifies the petitioner's protest as a form of "pure speech"?</p>	<p>Notes</p>
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Supporting Question 4

Card 12 of 16

<p>On page 5, how does the role of a symbol further strengthen the court's rule in favor of the petitioners?</p>	<p>Notes</p>
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Focus Question

Card 13 of 16

<h1>Focus Question</h1>	Notes

Focus Question

Card 14 of 16

How do the ideas of symbolism and “pure speech” interact over the course of the text to support the constitutionality of the petitioners’ protest?	Notes

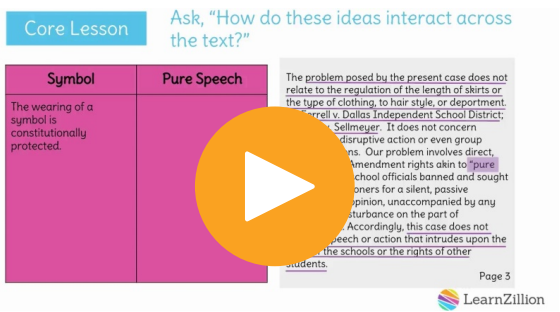
After the Lesson

Card 15 of 16

<h1>After the Lesson</h1>	Notes

Comprehension Skill Video

Card 16 of 16

 <p>Core Lesson Ask, "How do these ideas interact across the text?"</p> <table border="1"><thead><tr><th>Symbol</th><th>Pure Speech</th></tr></thead><tbody><tr><td>The wearing of a symbol is constitutionally protected.</td><td></td></tr></tbody></table> <p>Visit https://haywood.lzill.co/r/44099</p>	Symbol	Pure Speech	The wearing of a symbol is constitutionally protected.		Notes
	Symbol	Pure Speech			
The wearing of a symbol is constitutionally protected.					